

**EXHIBIT LRP 2009-00002:A**

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING TITLE 22 OF THE SAN LUIS OBISPO COUNTY CODE, THE LAND USE ORDINANCE, CHAPTERS 22.06, 22.18, AND 22.30 BY AMENDING SECTIONS 22.06.030 AND 22.18.050.C.9 AND ADDING SECTION 22.30.265 RELATING TO EMERGENCY SHELTERS, SUPPORTIVE HOUSING, AND TRANSITIONAL HOUSING

The Board of Supervisors of the County of San Luis Obispo ordains as follows:

SECTION 1: Section 22.06.030 (Table 2-2) of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, is hereby amended as follows:

Add "Lodging - Emergency Shelters" in the SERVICES section after the "Lodging - Bed & Breakfast Inns, 4 or more units" row as follows: Allowable in the Public Facility, Commercial Service, and Industrial land use category as an "A2" use and specific use standards column will include the following section reference: 22.30.265

Add "Supportive Housing " in the RESIDENTIAL USES section after the "Single-Family Dwellings" row as follows: Allowable as an "A1" use in the Residential Single Family, Residential Multi-Family, and Residential Suburban land use categories

Add "Transitional Housing" in the RESIDENTIAL USES section after the "Temporary Dwellings" row as follows: Allowable as an "A1" use in the Residential Single Family, Residential Multi-Family, and Residential Suburban land use categories

SECTION 2: Section 22.18.050.C.9 of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, is hereby amended as follows:

USE	PARKING SPACES REQUIRED	PARKING LOT TURNOVER	LOADING BAY DENSITY
<u>Emergency Shelters</u>	<u>1 per 6 adult beds, plus 1 per on-site staff person and volunteer plus 1 per 10 adult beds for service vehicles</u>	<u>Low</u>	<u>Low</u>
Hotels, Motels	2 spaces, plus 1 per unit, plus 1 per 10 units	Medium	Low

SECTION 3: Add new Section 22.30.265 of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, as follows:

**22.30.265 - Lodging - Emergency Shelters**

The following standards apply to emergency shelters, which include housing with minimal support services to homeless persons.

**A. Permit requirement.**

1. Except as set forth in Subsection A.2, Zoning Clearance where allowed by Section 22.06.030 when community water and sewer is available within urban or village reserve lines.
2. Minor Use Permit when community water and sewer is available and the site is subject to the following: Historic, Airport Review Area, Flood Hazard, Energy or Extractive Area, Extractive Resource Area, Geologic Study Area or Sensitive Resource Combining Designations, Open Space Agreement, Avigation Easement, Water and/or Soil Contamination, or Very High Fire Hazard Area.
3. Minor Use Permit when community water and sewer is not available.

**B. Maximum number of persons.** An emergency shelter facility may allow up to 100 persons.

**C. Onsite waiting and client intake areas.** A minimum of seven percent of the total square footage of an emergency shelter shall be designated for indoor onsite waiting and client intake areas.

**D. Onsite management.** A minimum of one on-site manager or supervisor plus additional staff and volunteers for up to 50 shelter beds. A minimum of two on-site managers or supervisors plus additional staff and volunteers for 51-100 shelter beds. On-site management shall be provided during hours of operation.

**E. Proximity to other emergency shelters.** No emergency shelter shall be within a 300 foot radius from another emergency shelter.

**F. Length of stay.** Individual occupancy is limited to six consecutive months or less. However, individual emergency shelter occupancy policies apply. Emergency shelters providers may allow clients to stay more than six months if no subsequent housing has been identified.

**G. Lighting.** External lighting shall be provided for security purposes, and shall be in compliance with the provisions of Section 22.10.060.

**H. Security during hours of operation.** At least two security cameras are required with video recording capability. For emergency shelters with 50 or more clients, at least one security guard is also required.

SECTION 4: Section 22.80.030 Definitions, "E", "H", "R", "S" and "T" of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, is hereby amended as follows:

**Emergency Shelter (land use).** Housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person (Health and Safety Code Section 50801). Includes homeless day center facilities providing services such as counseling, employment training and job search assistance, meals, health and dental care, and a day resource center.

**Homeless Shelter.** See "Emergency Shelter."

**Residential Care (land use).** Establishments primarily engaged in the provision of residential social and personal care for children, the aged, and special categories of persons with some limits on the ability for self-care, but where medical care is not a major element and twenty-four hour supervision is provided. Includes: children's homes; ~~halfway houses~~; orphanages; rehabilitation centers; ~~self help group homes~~. (SIC: Group 836)

**Residential Care Facility.** ~~A facility providing non-medical residential care or day care services for children or adults (except for preschools which are separately defined) who are physically handicapped or mentally impaired.~~

**Supportive Housing (land use).** Dwelling units with no limit on length of stay, that are occupied by the target population as defined in subdivision (d) of Section 53260, and that are linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community (Health and Safety Code Section 50675.14). "Target population" means adults with low incomes having one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health conditions, or individuals eligible for services provided under the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may, among other populations, include families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, or homeless people (Health and Safety Code Section 53260 d).

**Transitional Housing (land use).** Dwelling units configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months (Health and Safety Code Section 50675.2).

SECTION 5. That the Board of Supervisors has considered the initial study prepared and conducted with respect to the matter described above. The Board of Supervisors has, as a result of its consideration, and the evidence presented at the hearings on said matter, determined that the proposed negative declaration as heretofore prepared and filed as a result of the said initial study, is appropriate, and has been prepared and is hereby approved in accordance with the California Environmental Quality Act and the County's regulations implementing said Act. The Board of Supervisors, in adopting this ordinance, has taken into account and reviewed and considered the information contained in the negative declaration approved for this project and all comments that were received during the public hearing process. On the basis of the Initial Study and any comments received, there is no substantial evidence that the adoption of this ordinance will have a significant effect on the environment.

SECTION 6. If any section, subsection, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

SECTION 7: This ordinance shall take effect and be in full force on and after 30 days from the date of its passage hereof. Before the expiration of 15 days after the adoption of this ordinance, it shall be published once in a newspaper of general circulation published in the County of San Luis Obispo, State of California, together with the names of the members of the Board of Supervisors voting for and against the ordinance.

PASSED AND ADOPTED by the Board of Supervisors of the County of San Luis Obispo, State of California, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

\_\_\_\_\_  
Chairman of the Board of Supervisors,  
County of San Luis Obispo,  
State of California

ATTEST:

\_\_\_\_\_  
County Clerk and Ex-Officio Clerk  
of the Board of Supervisors  
County of San Luis Obispo, State of California

[SEAL]

ORDINANCE CODE PROVISIONS APPROVED  
AS TO FORM AND CODIFICATION:

WARREN R. JENSEN  
County Counsel

By: \_\_\_\_\_  
Deputy County Counsel

Dated: \_\_\_\_\_